

JUL 25 2007

## MANDEL &amp; ADRIANO

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FACSIMILE TRANSMISSION**To:** Exr. William R. Dixon, Jr.**Title:** Special Program Examiner, Technology Center 1600**Institution:** United States Patent and Trademark Office**Group Art Unit:** 1644**U.S. Serial No.:** 09/936,665**Facsimile No.:** (571) 273-8300**Total No. of pages:** 5**From:** Sarah B. Adriano**Date:** July 25, 2007**Dkt. No.:** 30448.77USW1

**Certificate under 37 C.F.R. §1.8:** I hereby certify that this paper and the attachments herewith are being deposited by facsimile with the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on July 25, 2007.



Renato Marco P. Domingo

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Adam J. Katz et al.  
Serial No.: 09/936,665  
Filed: September 10, 2001  
Patent No.: 6,777,231  
Issued: August 17, 2004  
Docket: 30448.77USW1  
Title: ADIPOSE-DERIVED STEM CELLS AND LATTICES

CERTIFICATE UNDER 37 CFR §1.8:

I hereby certify that this correspondence is being deposited by facsimile to Special Program Examiner William R. Dixon, Jr., Technology Center 1600 at (571) 273-8300 on July 25, 2007.

By: *Renato M. Domingo*  
Name: Renato Marco P. Domingo

55 S. Lake Avenue, Suite 710  
Pasadena, California 91101  
July 25, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

Transmittal sheet, in duplicate, containing Certificate under 37 CFR §1.8  
 Interview Summary

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

MANDEL & ADRIANO  
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By: *Sarah B. Adriano*  
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Reg. No.: 34,470  
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JUL 25 2007

30448.77USW1/SBA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants:** Adam J. Katz, Ramon Llull, William J. Futrell, Marc H. Hedrick, Prosper Benhaim, Hermann Peter Lorenz and Min Zhu

**U.S. Serial No.:** 09/936,665      **Examiner:** Irem Yucel, Ph.D.

**Filed:** September 10, 2001      **Group Art Unit:** 1636

**U.S. Patent No.:** 6,777,231

**Issue Date:** August 17, 2004

**Title:** ADIPOSE-DERIVED STEM CELLS AND LATTICES

55 S. Lake Avenue, Suite 710  
Pasadena, California 91101  
July 25, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

INTERVIEW SUMMARY

In a telephone conference on July 24, 2007, Malcolm McGowan, Esq., Applicants' undersigned representative, and Special Program Examiner William Dixon discussed the Correction of Inventorship Decision issued by the Patent Office on June 4, 2007.

Applicants' representatives clarified a few issues. First, what was identified in the June 4, 2007 Decision as a "petition under 37 C.F.R. §1.324, filed February 14, 2005" was not a petition, but was in fact a Communication submitted on February 9, 2005 forwarding copies of the Complaint and Answer for Correction of Inventorship under 35 U.S.C. §256. Second, the Petition for Correction of Inventorship under 37 C.F.R. §1.48(b) was timely filed on November 20, 2003 (copies of which were resubmitted to the Office on January 21, 2004 and again on August 27, 2004). Third, the reason given in the Decision

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for denying the petition - that the Petition did not comply with the provisions of Rule 324 - is inapposite because the Petition was timely filed pursuant to Rule 48(b).

According to Mr. Dixon, the November 20, 2003 Petition was miscoded in the Patent Office electronic records as a fee rather than a Petition, and thus was not considered in issuing the June 4, 2007 Decision. In view of this information, Mr. Dixon indicated that he will reconsider the June 4, 2007 Decision and correct the record.

No fee is deemed necessary in connection with the filing of this communication. However, if any fee is necessary, the Patent Office is authorized to charge any such fee to Deposit Account No. 50-0306.

Respectfully submitted,

Sarah B. Adriano

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